

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 97

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES AND TRAFFIC; AMENDING CHAPTER 14, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1421A, IDAHO CODE, TO PROVIDE FOR DRIVING A VEHICLE IN A HIGH OCCUPANCY VEHICLE LANE, TO PROVIDE FOR EXCEPTIONS, TO PROVIDE FOR PENALTIES AND TO DEFINE A TERM.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 14, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-1421A, Idaho Code, and to read as follows:

49-1421A. HIGH OCCUPANCY VEHICLE LANES – PENALTIES – DEFINITIONS. (1) Except as provided in subsections (2) and (3) of this section, a person shall not drive a vehicle carrying fewer than two (2) persons, including the driver, in a high occupancy vehicle lane at any time the use of the high occupancy vehicle lane is restricted to vehicles carrying two (2) or more persons, including the driver.

(2) A person may drive a motorcycle in a high occupancy vehicle lane at any time regardless of the number of passengers, without penalty.

(3) A person may drive a public transportation vehicle in a high occupancy vehicle lane at any time regardless of the number of passengers, without penalty.

(4) Any violation of the provisions of this section shall be an infraction punishable by a fixed penalty of two hundred dollars (\$200).

(5) For the purposes of this section, "public transportation vehicle" means a vehicle that:

(a) Provides a designated public transportation as defined in section 221 of the Americans with disabilities act of 1990 or provides public school transportation (that is, to and from public or private primary, secondary or tertiary schools); and

(b) Is owned or operated by a public entity, or is operated under a contract with a public entity, or is operated pursuant to a license by the secretary of the United States department of transportation or an agency of the state of Idaho, to provide motorbus or school vehicle transportation services to the public.